

## **EXHIBIT 2**

1                   A.     Not at this time anymore.

2                   Q.     Have you signed an engagement  
3     letter with any lawyers in connection with this  
4     case?

5                   A.     Not to my recollection.

6                   Exhibit 23 was marked for  
7     identification by the reporter.)

8                   Q.     (BY MR. SIMSHAUSER)

9     Mr. Kalbfleisch, showing you what's been marked  
10    Exhibit 23. This is the rule 26.2 B  
11    certification that has your name at the bottom.  
12    Is that your signature sir?

13                  A.     Correct.

14                  Q.     When did you sign this document?

15                  A.     I do not remember.

16                  Q.     What's your best recollection as to  
17     the year in which you signed this document?

18                  A.     I do not remember.

19                  Q.     Was it 2007? Was it this year or  
20     some year before 2007?

21                  A.     Before 2007, I know that.

22                  Q.     You heard -- you heard Mr. Vaughn  
23     say this morning that he thought he signed the  
24     basically same document in 2005. Do you remember  
25     Mr. Vaughn saying that?

1 A. Yes, I do.

2 Q. Is that consistent with your  
3 recollection that this could have been 2005 when  
4 you signed this document?

5 A. I do not, I do not remember.

6 Q. Is there any -- is there any  
7 document or other material to which you could  
8 refer that would assist you in recalling when you  
9 signed this document?

10 A. Not that I know of.

11 Q. Have you ever previously seen a  
12 legal document of any sort that's undated?

13 A. I haven't been into too many legal  
14 documents.

15 Q. Have you ever seen any legal  
16 document of any kind that's not dated?

17 A. There again, I have never been in  
18 any legal situation.

19 Q. This is a document that was drafted  
20 for you by your attorneys, correct?

21 A. Evidently.

22 Q. You didn't write these words the  
23 attorneys did correct?

24 A. Correct.

25 Q. In the first sentence there it says

1 that you have discussed the scope of discovery in  
2 this action. Do you see that?

3 A. Yes, I do.

4 Q. What is that referring to?

5 A. There again, I relied on the  
6 attorneys to take care of the legal part of this.

7 Q. Do you know what discovery is in a  
8 lawsuit?

9 A. No, I don't.

10 Q. And in the second sentence, it says  
11 that you consent to any effort by your counsel to  
12 seek discovery events that exceed the presumptive  
13 limits set forth in certain rules. Do you see  
14 that?

15 A. Correct.

16 Q. Do you know what discovery events  
17 means in that context?

18 A. No, I don't.

19 Q. Do you know how many depositions  
20 your attorneys have taken in this case?

21 A. No, I do not.

22 Q. Do you know how many they're  
23 seeking to take?

24 A. No, I do not.

25 Q. Do you know whether they're going

1 to go into Federal court in Boston next week and  
2 try the take more depositions?

3 A. That, I do not.

4 Q. Do you know who the judge is in  
5 this case?

6 A. I do not.

7 Q. Now, at the time you called the 800  
8 number in the newspaper advertisement that you  
9 saw you say that you were concerned about the  
10 performance of your Putnam mutual funds; is that  
11 right?

12 A. I was curious of what the ad meant  
13 to the Putnam fund at that time, yes.

14 Q. At, at the time, did you have any  
15 concerns or questions about your Putnam funds  
16 other than things relating to performance?

17 A. No, I did not.

18 Q. And is part of the reason that  
19 you've brought this lawsuit related to your  
20 concerns about the performance of the Putnam  
21 funds that you own?

22 A. The -- could you repeat that  
23 question, please.

24 Q. You told me a moment ago that the  
25 reason you called the 800 number you saw in the